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| UNITED STATES DISTRICT COURT<br>SOUTHERN DISTRICT OF NEW YORK |                                |   | DOCUMENT ELECTRONICALLY FILED DOC #:                  |
|---|--------------------------------|---|---|
| BENJAMIN LAMZOT,  Plaintiff,                                  |                                |   | DOC #:  DATE FILED #: 2/6/09                          |
|   | -against-                      |   | 04 Civ. 6719 (LAK)                                    |
| WILLIAM I   | PHILLIPS, etc., et al.,        |   |   |
|   | Defend                         | lants.  |   |
|   | C                              | CORRECTED ORDER                                       |   |
| Lewis A. K  | APLAN, <i>District Judge</i> . |   |   |
| Dolinger ha   |                                | report and recommendation its' motion for summary ju- | n of Magistrate Judge Michael H.<br>dgment is denied. |
|   | SO ORDERED.                    |   |   |
| Dated:  | February 6, 2009               |   | ewis A. Kaplan<br>States District Judge               |